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14 Attorneys for Nominal Defendant
15 EXTREME NETWORKS, INC.

16 [additional counsel on signature blocks]

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

19 In re EXTREME NETWORKS, INC.
20 SHAREHOLDER DERIVATIVE
21 LITIGATION

22 Case No. C-07-02268-RMW

23 **STIPULATION AND [] ORDER
24 TO CONTINUE CASE MANAGEMENT
25 CONFERENCE AND DEFER PENDING
26 DISCOVERY DEADLINES**

27 This Document Relates To:

28 ALL ACTIONS

STIPULATION

WHEREAS, on September 3, 2010, a Case Management Conference was held and the Court agreed to set a further Case Management Conference for October 1, 2010 while the Parties engage in ongoing settlement discussions.

WHEREAS, the Parties continue to engage in mediation efforts with the Honorable Layn R. Phillips (ret.) and have shared settlement proposals with the mediator;

WHEREAS, Judge Phillips has been in communication with the Parties regarding settlement of the action;

WHEREAS, Judge Phillips is currently engaged in a separate trial for approximately seven to ten days, and will be unable to attend to settlement discussions in the instant action until after the trial is completed;

WHEREAS, the Parties continue to communicate regarding a possible resolution of this action through Judge Phillips and believe that further mediation is appropriate and would be productive;

WHEREAS, in an effort to facilitate ongoing settlement discussions, the Parties have agreed to continue the Case Management Conference for two weeks until October 15, 2010; and

WHEREAS, in an effort to facilitate ongoing settlement discussions, the Parties have agreed to hold all pending deadlines in abeyance until after the Case Management Conference is completed.

IT IS THEREFORE STIPULATED AND AGREED, by and between the Parties to the above-captioned action, through their respective counsel, as follows:

1. The Parties agree to continue the Case Management Conference until October 15, 2010.

2. The Parties agree to hold all pending deadlines, including discovery deadlines, in abeyance until after the Case Management Conference is completed.

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1
2 **IT IS SO STIPULATED AND AGREED.**
3

4 Dated September 21, 2010

ROBBINS GELLER RUDMAN & DOWD LLP

5 By: _____ /s/
6 SHAWN A. WILLIAMS
7 CHRISTOPHER M. WOOD

8 Attorneys for Plaintiff

9 Dated: September 21, 2010

MORGAN, LEWIS & BOCKIUS LLP

10 By: _____ /s/
11 JOSEPH E. FLOREN
12 JOHN H. HEMANN

13 Attorneys for Nominal Defendant
14 EXTREME NETWORKS, INC.

1
2 **ATTESTATION PURSUANT TO GENERAL ORDER 45**
3

4 I, Joseph E. Floren, am the ECF User whose ID and password is being used to file this
5 Joint Case Management Statement and Suggestion for Rescheduling of Case Management
6 Conference. In compliance with General Order 45, X.B., I hereby attest that Shawn A. Williams
has concurred in this filing.

7 Executed on this 21st day of September 2010 at San Francisco, California.
8

9 MORGAN, LEWIS & BOCKIUS LLP
10

11 _____
12 /s/ Joseph E. Floren
JOSEPH E. FLOREN
13

14 * * *

15 **[] ORDER** _____
16

Pursuant to stipulation, **IT IS SO ORDERED.**
17

Dated: September 22 2010
18

19 
The Honorable Ronald M. Whyte
United States District Judge
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